

REMARKS

These Remarks are submitted under 35 U.S.C. § 132 and 37 C.F.R. §§ 1.111 in response to the Office Action mailed April 10, 2008.

Summary of the Examiner's Action and Applicants' Response

The Examiner stated that the cover of an IDS filed on 11/05/07 is on the record, but that no 1449 form has been received. The Examiner rejected Claim 1 on the ground of nonstatutory obviousness-type double patenting over Claim 1 of U.S. Patent No. 7,320,062. Claims 1 and 9-11 have been rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Examiner rejected Claims 1-5, 7-15, 17, 18, 20, 21, 23, 27-31, 115-128, 144, and 145 under 35 U.S.C. § 103(a) as being obvious based on Wise (U.S. Patent No. 5,768,561) in view of Brewer (U.S. Patent No. 5,519,694). Claims 123 and 124 have been rejected under 35 U.S.C. § 103(a) as being obvious based on Wise in view of Brewer as applied to Claim 1 above, and further in view of Baxter (U.S. Patent No. 5,794,062). The Examiner has rejected Claims 32-46, 48, 49, 51-57, 60, 62-80, 82-85 under 35 U.S.C. § 103(a) as being obvious based on Wise in view of Brewer and Baxter. Claims 16, 19, 22, and 24-26 have been rejected under 35 U.S.C. § 103(a) as being obvious based on Wise in view of Brewer as applied to Claims 1, 17, 20 and 23 above, and further in view of Lee, et al. (U. S. Patent No. 5,873,045, "Lee"). The Examiner has rejected Claims 47, 50, and 77 as being obvious based on Wise in view of Brewer and Baxter, as applied to Claims 32 and 63 above, and further in view of Lee. Claims 59, 61, 86, and 88 were rejected under 35 U.S.C. § 103(a) as being obvious based on Wise in view of Brewer and Baxter, as applied to Claims 32 and 63 above, and further in view of Cohen, et al. (U.S. Patent No. 6,005,943, "Cohen"). The Examiner has rejected Claim 63 under 35 U.S.C. § 103(a) as being obvious based on Webb (U.S. Patent No. 4,760,525) in view of Brewer. Applicants respectfully traverse the rejections.

In this response, Applicants have cancelled Claims 1-5, 7-57, 59-80, 82-88, 115, 116, 118-121, 123-128, 144-145 for reasons unrelated to the above rejections. The title has been amended to further refine it.

Claims 146-181 have been added to further define certain embodiments of the invention. After entry of this amendment, Claims 146-181 will be pending.

Response regarding IDS

The Examiner stated that the cover of an IDS filed on 11/05/07 is on the record, but that no 1449 form has been received. Regarding the IDS of Nov. 5, 2007 to which the Examiner refers, Applicants respectfully submit that a 1449A form for the IDS mailed Nov. 2, 2007 was filed and was received by the USPTO on Nov. 5, 2007; as evidenced by the copy posted on PAIR and stamped with that receipt date. A copy of that submitted 1449A form downloaded from PAIR is attached hereto at the end of this document. Applicants respectfully request that the Examiner return an initialed copy of this 1449A with the next action.

Response to Rejection of Claim 1 for Nonstatutory Obviousness-Type Double Patenting

The Examiner rejected Claim 1 on the ground of nonstatutory obviousness-type double patenting over Claim 1 of U.S. Patent No. 7,320,062. Claim 1 has been canceled. Applicants respectfully submit that the rejection is therefore, rendered moot.

Response to Rejection of Claims 1 and 9-11 under 35 U.S.C. § 101

Claims 1 and 9-11 have been rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claim 1 and 9-11 has been canceled. Applicants respectfully submit, therefore, the rejection has been rendered moot. Applicants respectfully submit that the newly added claims, 146-181, are directed to statutory subject matter.

Response to Rejection of Claims 1-5, 7-15, 17, 18, 20, 21, 23, 27-31, 115-128, 144, and 145 under 35 U.S. C. § 103(a)

The Examiner rejected Claims 1-5, 7-15, 17, 18, 20, 21, 23, 27-31, 115-128, 144, and 145 under 35 U.S.C. § 103(a) as being obvious based on Wise in view of Brewer.

Applicants have cancelled Claims 1-5, 7-57, 59-80, 82-88, 115, 116, 118-121, 123-128, 144-145 for reasons unrelated to the above rejections. Applicants respectfully submit that the newly added claims, 146-181, are non-obvious based on Wise in view of Brewer.

Response to Rejection of Claims 123 and 124 under 35 U.S.C. § 103(a)

Claims 123 and 124 have been rejected under 35 U.S.C. § 103(a) as being obvious based on Wise in view of Brewer as applied to claim 1 above, and further in view of Baxter.

Applicants have cancelled Claims 1-5, 7-57, 59-80, 82-88, 115, 116, 118-121, 123-128, 144-145 for reasons unrelated to the above rejections. Applicants respectfully submit that the newly added claims, 146-181, are non-obvious based on Wise in view of Brewer and further in view of Baxter.

Response to Rejection of Claims 32-46, 48,49, 51-57, 60, 62-80, 82-85 under 35 U.S.C. § 103(a)

The Examiner has rejected Claims 32-46, 48,49, 51-57, 60, 62-80, 82-85 under 35 U.S.C. § 103(a) as being obvious based on Wise in view of Brewer and Baxter.

Applicants have cancelled Claims 1-5, 7-57, 59-80, 82-88, 115, 116, 118-121, 123-128, 144-145 for reasons unrelated to the above rejections. Applicants respectfully submit that the newly added claims, 146-181, are non-obvious based on Wise in view of Brewer and further in view of Baxter.

Response to Rejection of Claims 16, 19, 22, and 24-26 under 35 U.S.C. § 103(a)

Claims 16, 19, 22, and 24-26 have been rejected under 35 U.S.C. § 103(a) as being obvious based on Wise in view of Brewer as applied to Claims 1, 17, 20 and 23 above, and further in view of Lee.

Applicants have cancelled Claims 1-5, 7-57, 59-80, 82-88, 115, 116, 118-121, 123-128, 144-145 for reasons unrelated to the above rejections. Applicants respectfully submit that the newly added claims, 146-181, are non-obvious based on Wise in view of Brewer and further in view of Lee.

Response to Rejection of Claims 47, 50, and 77 under 35 U.S.C. § 103(a)

The Examiner has rejected Claims 47, 50, and 77 as being obvious based on Wise in view of Brewer and Baxter, as applied to Claims 32 and 63 above, and further in view of Lee.

Applicants have cancelled Claims 1-5, 7-57, 59-80, 82-88, 115, 116, 118-121, 123-128, 144-145 for reasons unrelated to the above rejections. Applicants respectfully submit that the newly

added claims, 146-181, are non-obvious based on Wise in view of Brewer and Baxter and further in view of Lee.

Response to Rejection of Claims 59, 61, 86, and 88 under 35 U.S.C. § 103(a)

Claims 59, 61, 86, and 88 were rejected under 35 U.S.C. § 103(a) as being obvious based on Wise in view of Brewer and Baxter, as applied to Claims 32 and 63 above, and further in view of Cohen.

Applicants have cancelled Claims 1-5, 7-57, 59-80, 82-88, 115, 116, 118-121, 123-128, 144-145 for reasons unrelated to the above rejections. Applicants respectfully submit that the newly added claims, 146-181 are non-obvious based on Wise in view of Brewer and Baxter and further in view of Cohen.

Response to Rejection of Claim 63 under 35 U.S.C. § 103(a)

The Examiner has rejected Claim 63 under 35 U.S.C. § 103(a) as being obvious based on Webb in view of Brewer.

Applicants have cancelled Claims 1-5, 7-57, 59-80, 82-88, 115, 116, 118-121, 123-128, 144-145 for reasons unrelated to the above rejections. Applicants respectfully submit that the newly added claims, 146-181, are non-obvious based on Webb in view of Brewer.

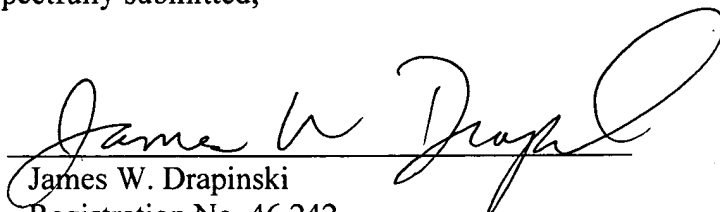
Conclusion

For the above reasons, Applicants respectfully submit that all pending claims, Claims 146-181 in the present application are allowable. Such allowance is respectfully solicited.

If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (415) 984-8200.

Respectfully submitted,

By:


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Dated

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ATTACHMENT

Copy of IDS 1449A as stamped received by USPTO

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at 222.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.